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May 22, 2003

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: In the matter of 2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, MB Docket No. 02-277

Dear Chairman Powell:

The Federal Communications Commission is considering possible changes to its media ownership rules. We understand the Commission may issue a rule as soon as June 2, 2003, that would relax media ownership rules in a way that could significantly enhance the concentration of media ownership. We request that the Commission propose a specific rule or rules, hold public hearings, and allow the public and Congress to review and comment on any proposed rules prior to final adoption.

Allowing greater concentration and cross-ownership of media may have a profound impact on Americans’ access to a wide range of news, information, programming, and political commentary. Despite tremendous advances in telecommunications, Americans predominantly gain information from television, radio, and newspapers. For the relatively small percentage of Americans who turn to the Internet for their news, television-affiliated web sites dominate. The mass media, therefore, provides the information Americans need to fully participate in our democratic society. Altering media ownership rules could seriously affect vigorous public debate and the marketplace of ideas.

One of our concerns is that there be public access to many “products” in the realm of news, opinion, and information. Government action should be exercised to promote greater competition and thus to encourage diversity of views. Extreme care should be taken by the Commission to see that as a practical matter, no monopoly in the presentation of news and opinion is created. Any media ownership rule the Commission adopts must permit a factual determination as to whether a particular media combination would adversely affect the diversity of expression and independence of editorial content, or result in substantial lessening of competition.

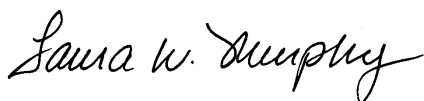
We recognize the question of whether concentration will always lead to a lessening of diversity of opinion expressed in the mass media is unsettled. That fact makes it imperative that there be the widest possible

comment on any proposed rule, so the Commission may fairly and impartially evaluate whether it will promote or hinder such diversity.

Hindering public comment is the fact that no rule has yet been proposed. The Commission issued a Notice of Proposed Rulemaking on media ownership, but proposed no actual rule upon which the public could comment. Thus, the public and Congress have had no opportunity to comment on specific changes and their possible effect on diversity. While there may be a difference of opinion on whether media concentration *automatically* results in lack of diversity, relaxation of the rules could have such a consequence. For this reason, the opportunity for the public and Congress to comment on a specific proposed rule is necessary.

Relaxation of the media concentration rules could have enormous consequences for the marketplace of ideas that is so vital to our nation. The public interest requires that any proposed changes to the rules be made in the open, with full and fair opportunity for all interested parties to comment. We urge the Commission to propose a rule, and allow hearings and public comment on this extremely important issue.

Sincerely,



Laura W. Murphy
Director



Marvin J. Johnson
Legislative Counsel

Cc: The Honorable Kathleen Q. Abernathy
The Honorable Jonathan Steven Adelstein
The Honorable Michael J. Copps
The Honorable Kevin J. Martin